

REMARKS

In the Office Action mailed June 30, 2008, the Examiner noted that claims 1-9, 13-16 and 19 were pending, allowed claims 1-9 and 13-16, and rejected claim 19. Claim 19 has been amended, and, thus, in view of the forgoing claims 1-9, 13-16 and 19 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

In the Office Action, the Examiner rejected claim 19 under 35 U.S.C. section 112 paragraph 2 as indefinite. Claim 19 has been amended in consideration of the Examiner's comments and it is submitted it satisfies the requirements of the statute. If additional concerns with the claims arise, the Examiner is invited to telephone to resolve the same. Suggestions by the Examiner are also welcome. Withdrawal of the rejection is requested.

Page 3 of the Office Action rejects claim 19 under 35 U.S.C. § 103 over Jackson.

Claim 19 emphasizes "a first sort key having a first color first set of keys corresponding to the selected first sort key and having a color different from the first color; and a second set of keys corresponding to the selected first sort key and having the first color". That is, two sets of keys correspond to the selected sort key where one has the same color as the selected sort key and the other set does not.

The Examiner appears to point to Jackson at col. 11, lines 48-50 for the feature of sort keys having colors. The text of Jackson actually states:

According to a further embodiment of the present invention, one or more other display windows are concurrently presented in "tiled" fashion on the main display.

The other display windows may be used to document the query process, summarize data presented in the chart, provide navigation to charts developed in previous steps and reference and use chart-defined entities as operands in other operations. For example, simultaneous presentations of the hierarchical query structure and statistics characterizing the data in the chart may be provided for in separate query and statistics display areas referred to herein as the Query Tree Window 52 and the Statistics Window 54, respectively.

The Query Tree Window 52 and the Statistics Window 54 areas maintain current and historical information on the evolution of the chart-based queries, dynamically document the user's evaluation process, and provide a means for redirecting the analysis, or "navigating" through the data.

As shown in FIG. 2, the Query Tree Window 52 is initially empty. When the process is initialized a single node appears which is the first level on the query tree or the "root" node 56 (See FIG. 9). The "root" node represents the entire database prior to selecting data subsets or segmentation through the chart-based query process described above. Within the Query Tree Window 52, a node is added to an inverted tree structure 53 (FIG. 10) beginning with the root node 56 to

represent each data subset in visual, dynamic documentation of the hierarchical database structure that evolves each time a mouse query operation is performed. Each node reflects the visual designation, by color, pattern or other means, of the data subset that is applied in the chart.

(See Jackson col. 11, lines 20-50, inclusive of lines 48-50, emphasis added)

As can be seen this text of Jackson is about display windows that display a tree with nodes where the nodes have color. This text says nothing about color keys much less keys that have or do not have the same color as a selected sort key. For this reason, withdrawal of the rejection is requested.

By having keys that correspond and do not correspond in color to a selected sort key, the user is allowed to easily identify keys that are related and not related to the selected sort key. Jackson provides no such benefit. As a result, this feature is not a mere matter of design choice but rather solves a relatedness problem not even appreciated by Jackson and is able to perform better than the prior art. For this further reason, withdrawal of the rejection is requested.

In addition claim 19 emphasizes that the display is a "touch panel" type display. Jackson is directed to a video display. For this additional reason, withdrawal of the rejection is requested.

It is submitted that the independent claim 19 distinguishes over the prior art and withdrawal of the rejection is requested.

It is submitted that claim 19 satisfies the requirements of 35 U.S.C. 112. It is also submitted that claims 1-9 and 13-16 continue to be allowable. It is further submitted that the claim 19 is not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,
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